SEC. 814. POST-EMPLOYMENT RESTRICTIONS

(a) CLARIFICATION.—(1) Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) is amended—

(A) by inserting "except as provided in subsection (c)" in subsections (a)(1) and (b)(2) before the semicolon;

(B)(i) by redesignating subsections (i) through (n) as subsections (j) through (p), respectively; and

(ii) by redesignating subsections (c) through (i) as subsections (d) through (i), respectively; and

(C) by inserting after subsection (b) the following new subsection (c):

"(c) RECUSAL.—(1) A procurement official may engage in a discussion with a competing contractor that is otherwise prohibited by subsection (b)(2) if, before engaging in such discussion—

"(A) the procurement official proposes in writing to disqualify himself from the conduct of any procurement relating to the competing contractor (i) for any period during which future employment or business opportunities for such procurement official with such competing contractor have not been rejected by either the procurement official or the competing contractor, and (ii) if determined to be necessary by the head of such official's procuring activity (or his designee) in accordance with criteria prescribed in implementing regulations, for a reasonable period thereafter; and

"(B) the head of that procuring activity of such procurement official (or his designee), after consultation with the appropriate designated agency ethics official, approves in writing the recusal of the procurement official.

"(2) A procurement official who, during the period beginning with the issuance of a procurement solicitation and ending with the award of a contract, has participated personally and substantially in the evaluation of bids or proposals, selection of sources, or conduct of negotiations in connection with such solicitation and contract may not be approved for a recusal under paragraph (1) during such period with respect to such procurement.

"(3) A procurement official who, during the period beginning with the negotiation of a modification or extension of a contract and ending with—

"(A) an agreement to modify or extend the contract, or
"(B) a decision not to modify or extend the contract.
has participated personally and substantially in the evaluation of a
proposed modification or extension or the conduct of negotiations
may not be approved for a recusal under paragraph (1) during such
period with respect to such procurement.

"(4) A competing contractor may engage in a discussion with a procurement official that is otherwise prohibited by subsection (aXD if, before engaging in such discussion, the procurement official has been recused in accordance with this subsection.

"(5) Regulations implementing this subsection shall include specific criteria to be used in making determinations and approving recusals under paragraph (1).".

(2) Subsection (f) of such section (as redesignated by paragraph (1XB)) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;